DOCUMENT RESUME

ED 426 511 EA 029 622

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TITLE	Review of Charter School Legislation Provisions Related to Students with Disabilities.
INSTITUTION	Research Triangle Inst., Research Triangle Park, NC. EDD00036
REPORT NO	SAI-98-3034
PUB DATE	1999-01-00
NOTE	74p.
AVAILABLE FROM	Internet: http://www.ed.gov
PUB TYPE	Legal/Legislative/Regulatory Materials (090)
EDRS PRICE	MF01/PC03 Plus Postage.
DESCRIPTORS	*Charter Schools; Disabilities; *Educational Legislation; Educational Needs; Elementary Secondary Education; *School Effectiveness; *State Legislation; State Regulation

ABSTRACT

A study examined ways that charter schools serve children with disabilities. This report provides the results of field-based data collection with parents, teachers, administrators, and students on how well charter schools are working with students with disabilities. It presents evidence on the reasons parents are enrolling students with disabilities in charter schools; the nature of services provided to these students, especially in contrast to the students' previous schools; outcome goals of charter schools; student-outcome measures charter schools employ; and the extent of students' success in the charter schools based on the schools' outcome goals, the states' accountability standards, and parents' outcome expectations. The text focuses on ways that state legislatures have directly addressed special education and students with disabilities, which should help with site selection for visits to a national sample of charter schools. The review also provides information useful for tailoring individual data-collection protocols prior to each school visit. The text looks at charter schools' independence from districts, their personnel decisions, their exemption from laws and regulations, their general funding, and their goals. Three appendices offer information on statutory provisions in all the states regarding school organization, exemptions, liability, funding, and other characteristics. (RJM)

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Review of Charter SCHOOL Legislation Provisions Related to Students with Disabilities

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September 1998

Office of Educational Research and Improvement
U.S. DEPARTMENT OF EDUCATION

Review of Charter School Legislation Provisions Related to Students with Disabilities

September 8, 1998

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U.S. Department of Education
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January 1999

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> *If you take the entire [North Carolina] charter school act and read it from beginning to end, what you will be is confused.*[1]
>
> --Harlan E. Boyles, State Treasurer, North Carolina

The Research Triangle Institute (RTI), in conjunction with SRI International, is conducting a study for the U.S. Department of Education that is examining how charter schools are serving children with disabilities. The study emphasizes field-based data collection, with parents, teachers, administrators, and students as the chief sources of information on how well charter schools are working for students with disabilities. Specifically, the study will find and present evidence on (1) the reasons parents are enrolling students with disabilities in charter schools; (2) the nature of services provided to these students, especially in contrast to the students' previous schools; (3) outcome goals charter schools have for students; (4) student outcome measures charter schools employ; and (5) the extent of students' success in the charter schools based on the schools' outcome goals, the states' accountability standards, and parents' outcome expectations.

State charter school statutes provide important background for this examination of the performance of charter schools in serving students with disabilities. We reviewed state statutes to identify the ways legislatures have directly addressed special education and students with disabilities. This review of charter school legislation will inform site selection for visits to a national sample of charter schools, ensuring that the schools visited represent diversity in regard to state characteristics. The review will also provide information useful for tailoring individual data collection protocols prior to each school visit. For interview protocols, the information here will allow refinement of standard questions and development of site-specific questions to reflect the legal environment in which each school operates.

Charter schools operate in widely different legal contexts in different states. To establish the context for looking at special education provisions and to identify other statutory provisions that could have an impact on students with disabilities, we first looked broadly at the charter school statutes. We examined those elements in each state charter school statute that provide information about the legal status, authority, operational freedom, and funding sources of charter schools. This information provided a framework within which to identify specific provisions regarding students

[1] News & Observer, Raleigh NC, 2/15/98.

with disabilities. We then identified and examined the legislative provisions that specifically address students with disabilities or special education. These provisions address students with disabilities who are eligible for services under the Individuals with Disabilities Education Act (IDEA) or under Section 504 of the Rehabilitation Act.

In January and February 1998, we collected the state statutes. The review examined the charter school statutes in 29 states. We did not include the District of Columbia and Puerto Rico, which also have charter school statutes, because we were unable to obtain copies of the relevant legislation. States with charter school statutes vary greatly in the number of operating schools: Arizona has over 200 schools and New Hampshire has none. We included all states with statutes in effect at the time of this review, regardless of the scope of their charter school program. State statutes that were enacted during the 1997-98 legislative sessions are not included in this report.

The following questions guided the review: Do state statutes include specific provisions for enrolling or serving students with disabilities? Do state statutes prescribe the nature of special education services in charter schools? If so, what is the focus of these provisions? Specific issues addressed included admissions, services, goals, accountability, assessment procedures, and accommodations for students with disabilities.

With consideration of our purpose and resources, we limited the review in two ways. First, we did not routinely check references in the charter school statutes to other laws. A more extensive review that included following the statute reference trails would have provided additional information. Nevertheless, the charter school statutes themselves are the primary framework for charter school developers and operators, and an examination of these statutes provided sufficient general information for our purposes. A second and similar limit of the review is that we did not examine the state rules and regulations that expand and clarify provisions of the charter school statutes. Applicable rules and regulations are extensive in some states and frequently undergo updating and revision. Again, such a review would have provided additional information but would have exceeded our needs for a broad understanding of the policy climate in which charter schools operate. Additionally, another federally funded project is currently undertaking a review of charter

school rules and regulations in the context of serving students with disabilities.[2] Throughout this paper, where appropriate, we have noted where these limitations have affected our review.[3]

Appended to this report are tables that summarize the findings from our analysis. Appendix Tables A and B summarize general statutory provisions that address the degree of operational and fiscal autonomy possessed by charter schools. The information presented in these two tables provides a framework within which to explore the implementation of special education programs in charter schools. Appendix Table A includes those provisions that prescribe the legal status and organizational structure of charter schools as well as any authority relating to personnel and financial matters. Appendix Table B includes those provisions that outline the extent to which charter schools are free from state and district education laws and rules, the extent to which they assume liability for their actions, and their sources of funding. Appendix Table C presents those statutory provisions that directly pertain to special education or students with disabilities.

In the appendix tables, we routinely relied on the exact words of the legislation rather than standardizing the language. For example, charter school "applications" are also referred to as "proposals" or "proposed charters," and students with disabilities may be referred to as "handicapped." To the greatest degree possible, we used the actual legislative language because the original language adds a richness to the summaries and because standardizing the language would risk inaccurate interpretations.

General Legislative Provisions

This first part of the review examines statutory provisions that have implications for, but do not necessarily address directly, students with disabilities or special education.

Various provisions in state statutes grant charter schools varying levels of authority to govern themselves and to make decisions regarding the operation of the schools, including decisions related to personnel, curriculum, and expenditures. The extent of a charter school's operational autonomy

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[2]The National Association of State Directors of Special Education under a grant from the U.S. Department of Education's Office of Special Education Programs.

[3]Additionally, the reader should be aware that this review of state charter school statutes was not conducted by attorneys or by the Department of Education. This document is not intended to take the place of professional legal advice or to be a definitive interpretation of federal law or state charter school statutes. It is also important to note that as of the writing of this document, the final regulations interpreting the 1997 amendments to the Individuals with Disabilities Education Act (IDEA) were not yet published.

will have an impact on how special education programs are implemented in these schools. As described in the following paragraphs, statutory provisions that give higher levels of autonomy include ones that allow or require charter schools to (1) operate independent from local school districts, (2) make their own personnel decisions, (3) be exempt from state and district education laws and regulations, (4) assume liability for their actions, and (5) receive their funding directly from the state.

Independence from districts. The charter school statutes in 14 states allow charter schools to operate independent of the school district, while the charter school statutes in 10 states require charter schools to operate as public schools within local school districts (see *Table 1*). In Wisconsin, charter schools operate either independently or as part of the local school district, depending on the sponsor. Many of the statutes that permit charter schools to operate independently of the school district also contain provisions prescribing the organization of the charter school as a legal entity, and, in most of these states, charter schools are required to organize as non-profit organizations. The exceptions are Arizona, Delaware, California, and Colorado, where entities may be either for-profit or non-profit. The statute in North Carolina allows the level of independence to be negotiated in the chartering process.

Four states either do not include a specific reference to independence or the reference is ambiguous, making interpretation of the statute difficult. For example, in three of these states (Florida, Michigan, and Minnesota), the statutes dictate that charter schools organize as nonprofit corporations and provide for their own governance. These provisions imply an operational status that is independent of the school district. However, Colorado permits, and South Carolina requires, charter schools to organize as nonprofit corporations, yet both states require charter schools to operate as part of the district. Michigan and Minnesota allow a university to sponsor or authorize a charter school. This arrangement suggests independence from the school district, although independence is not explicitly granted in the statutes. An analysis of state rules and regulations governing charter schools, which is beyond the scope of this review, may clarify these issues.

Table 1. **How Charter Schools Operate In Relation To The School District**

Operate Independently From School District	Operate Within or As Part of School District	Level of Independence Specified in Charter	No Specific Provision
California	Alaska	North Carolina	Arizona
Connecticut	Arkansas		Florida
Delaware	Colorado		Hawaii****
Illinois	Georgia		Michigan
Louisiana	Kansas		Minnesota
Massachusetts*	Mississippi		
Nevada	New Mexico		
New Hampshire	Rhode Island		
New Jersey	South Carolina		
Ohio	Texas**		
Pennsylvania	Wisconsin***		
Texas**			
Wyoming			
Wisconsin***			

*Massachusetts has two types of charter schools: Commonwealth and Horace Mann. Both types operate independently from districts under charters granted by the board of education, but the local school committee and the local collective bargaining agent must approve the charter for a Horace Mann school.

**Texas has two types of charter schools: Campus or campus-program charter schools are public school conversions, authorized by a district, that operate as part of the district and must give enrollment preference to district students; open-enrollment charter schools are authorized by the State Board of Education, operate independently of any district, and do not have enrollment restrictions.

***In Wisconsin, most charter schools sponsored by a district operate as an instrumentality of the district, and charter schools sponsored by the common council of Milwaukee and the University of Wisconsin-Milwaukee operate independent of the district.

****Hawaii operates as a single district, under which all schools fall.

Personnel decisions. In a majority of states (20 of 29), charter school staff are employees of the charter school for most purposes (with some states requiring charter school employees to be subject to terms of district collective bargaining agreements) (see *Table 2*). The charter school statutes of Kansas and Mississippi explicitly make charter school personnel employees of the school district. Although not expressly stated in statute, this is also implicit in the statutes of Arkansas, Georgia, and New Mexico, where charter schools are described as local public schools under the management of a local school board (substituting a performance-based contract for education laws, rules, and regulations), and in the statute of Hawaii, where the law authorizes individual public schools to implement alternative instruction and administrative programs and exempts them from most state laws. In Wisconsin, the employment status of charter school personnel depends on

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whether the charter school is an instrumentality of the local school district. In South Carolina, the employment status of charter school personnel depends on whether the charter school is a conversion or a new start.

Table 2. **Employment Status of Charter School Personnel**

Employees of Charter School	Employees of School District
Arizona	Alaska
California	Arkansas
Colorado	Georgia
Connecticut	Hawaii
Delaware	Kansas
Florida	Mississippi
Illinois	New Mexico
Louisiana	South Carolina (for conversions)
Massachusetts	Rhode Island
Michigan	Wisconsin (if an instrumentality of district)
Minnesota	
Nevada	
New Hampshire	
New Jersey	
North Carolina	
Ohio	

Some states give charter schools the authority to determine the qualifications of their professional employees, including the freedom to hire non-certified teachers (see *Table 3*). Ten states allow charter schools to hire some percentage of non-certified teachers, usually with restrictions. In Delaware, charter schools may hire non-certified teachers only when no "qualified alternative certification" exists, as long as such teachers constitute no more than 35 percent of teachers in the school. Seven states require charter school teachers to be fully certified or, as is the case in Connecticut, to possess some type of temporary or alternative certification. Even in those states that require certification, there are some exceptions. Specifically, Michigan charter schools sponsored by public universities are allowed to have non-certified university faculty teach at the school, and in Ohio charter schools, non-certified teachers may teach up to 12 hours per week.

The remaining 12 states do not directly address the issue of teacher certification in their state charter school statutes. However, charter school teachers in Alaska, Arkansas, Georgia, Hawaii,

Table 3. **State Requirements Regarding Certification of Charter School Teachers**

Certification Required	Some Percent May Be Non-certified	No Specific Provision
Connecticut	Delaware	Alaska
Michigan	Florida	Arizona
Minnesota	Illinois	Arkansas
New Jersey	Louisiana	California
Ohio	Nevada	Colorado
Rhode Island	New Hampshire	Georgia
Wyoming	North Carolina	Hawaii
	Pennsylvania	Kansas
	South Carolina	Massachusetts
	Wisconsin	Mississippi
		New Mexico
		Texas

Kansas, Mississippi, and New Mexico are considered to be employees of a district, which implies that they are subject to the same certification requirements as other district employees. For Arizona, California, and Texas, freedom from certification requirements may be implied by blanket exemptions from state laws and regulations. Conversely, the Colorado statute's lack of exemption from state and district laws and regulations may indicate that certification is required. More definitive information on teacher certification requirements is likely to be available in state rules and regulations, which were not included in this review.

Exemption from law and regulation. Sixteen state charter school statutes automatically exempt charter schools from most state education laws and regulations, with some exceptions provided in the statutes (see *Table 4*). Three of these 16 states (Delaware, Louisiana, and Mississippi) also explicitly exempt charter schools from most district rules and regulations. The district exemption is not necessary when schools are not sponsored by districts, such as state-sponsored schools in Arizona, Connecticut, Massachusetts, Minnesota, North Carolina, and Texas or university-sponsored schools in Michigan, Minnesota, and Wisconsin. Conversely, the charter school statutes in Connecticut, Massachusetts, Michigan, New Jersey, and New Mexico require charter schools to comply with all state education laws and regulations, and the charter school statutes in Alaska, Arkansas, Colorado, Georgia, Kansas, and Rhode Island require charter schools

to comply with all state and district education laws, rules, and regulations. Of these 11 states that do not automatically exempt charter schools from education laws and regulations, Arkansas, Colorado, Connecticut, Kansas, New Jersey, New Mexico, and Rhode Island specifically permit charter schools to request waivers from individual laws or regulations that, if granted, are incorporated into the charter. Nevada's statute does not address exemptions directly. It is important to note that the freedom from laws and regulations apparently conveyed by blanket statements may be misleading, as many of these blanket exemptions, such as Illinois', include the caveat "except as provided in the charter." Under such statutes, during the process of negotiating a charter, sponsoring agencies may require a school to comply with certain laws and regulations.

Every charter school is part of its state's educational system and all states participate in IDEA, so all charter schools have obligations under IDEA. Most of the state charter school statutes reviewed for this report were passed before the 1997 amendments to IDEA. The IDEA amendments clarify obligations of charter schools to students with disabilities and ways in which charter schools may access federal special education funds and services, whether through a district or directly from the state. If a charter school is considered a freestanding LEA (that is, a local education agency or district), it must be treated by the state the same as other freestanding LEAs in regard to applying for federal funds. For charter schools that are part of an LEA, the LEA must serve children with disabilities attending those schools in the same manner as it serves children with disabilities in other schools. The LEA must provide IDEA funds to those schools in the same manner as it provides those funds to its other schools.[4]

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[4]Charter schools must also comply with Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability in programs and activities that receive federal financial assistance, and Title II of the Americans with Disabilities Act of 1990, which prohibits discrimination on the basis of disability by state and local government entities regardless of whether they receive federal financial assistance. The prohibition against discrimination applies to the entire operation of the entity, including the admissions process, services and employment, and in some instances overlaps with the special education requirements under IDEA.

Table 4. **State Statutes That Automatically Exempt Charter Schools From Most Education Laws and Regulations**

Automatically Exempt From Most State Education Laws	Automatically Exempt From Most District Rules and Policies*
Arizona	Delaware
California	Louisiana
Delaware	Mississippi
Florida	
Hawaii**	
Illinois	
Louisiana	
Minnesota	
Mississippi	
New Hampshire	
North Carolina	
Ohio	
Pennsylvania	
South Carolina	
Texas	
Wisconsin	

*Exemption from district rules and policies is not an issue for state-sponsored or university-sponsored schools.
**Hawaii operates as a single district, so state laws and regulations are synonymous with district rules and regulations.

In either case, schools must identify potentially eligible children, assess them to determine whether or not they have disabilities and whether they need special education and related services, and develop and implement an Individualized Education Program (IEP) for each child found eligible. Those children must be educated in what is referred to under the law as the "least restrictive environment" and, in general, in an integrated setting. The children have due process protections in relationship to the IEP and the educational services that they receive. For example, parents may request an administrative hearing if they disagree with a proposed placement. Even though the question of whether states exempt charter schools from special education laws is moot, it is interesting to note that seven state statutes (Arizona, Louisiana, Massachusetts, Minnesota, Missouri, New Hampshire, and North Carolina) specifically assert that charter schools are not exempt from state laws governing special education.

Liability. Twenty-two of the 29 states address liability in their charter school statutes. The statutory language varies greatly with regard to this complex issue. Thirteen states (Arizona,

Connecticut, Delaware, Louisiana, Michigan, Minnesota, New Hampshire, New Jersey, North Carolina, Ohio, Pennsylvania, South Carolina, and Wyoming) protect charter school sponsors from liability relating to any acts or omissions of their charter schools. The strongest statements are made by Minnesota and Pennsylvania, both of which hold charter schools *solely* liable for all actions related to the operation of their schools. In five states (Colorado, Florida, Illinois, Nevada, and Wisconsin), issues of liability are negotiated between the charter school and its sponsor and are incorporated into the charter.

Texas and Rhode Island incorporate a third type of liability provision into their laws, which provides charter schools with immunity from liability to the same extent as a school district. The remaining two states (California and Massachusetts) do not offer definitive statements about the issue of liability. The California charter school statute declares that, "The governing board [of district] may require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the school, including, but not limited to, the potential civil liability effects upon the school and upon the school district." The Massachusetts charter school statute states that, "Employees of charter schools shall be considered public employees for purposes of tort liability. The board of trustees shall be considered the public employer for purposes of tort liability."

General funding. Charter schools in 14 of the 29 states receive some or all of their funding through local school districts. In four additional states (Arizona, Connecticut, Louisiana, and Michigan), only those charter schools that are sponsored by the district receive their funding through the district. The remaining states either require charter school funding to flow directly from the state to the charter school or do not explicitly address the funding of charter schools in their charter school statutes.

In addition to the flow of funding, another important issue is the amount of funding. According to the statutes in nine states (Alaska, Arizona, Colorado, Connecticut, Florida, Illinois, New Hampshire, New Jersey, and Wisconsin), charter schools that receive their funding through the local district may receive less than 100 percent of the state or district per-pupil operating revenues. For six of these states (Arizona, Colorado, Connecticut, Illinois, New Hampshire, and Wisconsin), this possible discrepancy is because the amount of funding is negotiated between the charter school and the district, with specific restrictions in some states. For example, the Illinois charter school statute states that, "As part of a charter school contract, the charter school and the local school board shall agree on funding and any services to be provided by the school district to the charter school. In no event shall the funding be less than 95% or more than 105% of the school district's per capita

student tuition multiplied by the number of students residing in the district who are enrolled in the charter school." For two of the nine states (Florida and Alaska), the charter school statutes specify that the district may withhold a percentage of charter school funding to cover administrative costs. The Florida statute specifically caps the level of administrative fees at 5 percent. In New Jersey, the amount of funding is set in the charter school statute at 90 percent of per-pupil operating revenues.

Legislative Elements Related to Special Education

The second part of the review examines the extent to which states make specific references to special education programs or students with disabilities in their charter school statutes. For this phase of the analysis, we read the state statutes for goals, accountability and assessment procedures, specific educational service requirements, and special education funding. These issues are likely to have a major impact on the implementation of special education programs in charter schools, and their delineation in legislation indicates a particular emphasis placed by the state. The following paragraphs describe the results of the state charter school statutes review for these issues.

Goals, accountability, and assessment. The goals that charter schools set for their students may be difficult to achieve for some students with disabilities, and the continued existence of a charter school may depend on its ability to produce the academic results outlined in its goals or mission statement. Nonetheless, charter schools are held accountable for achieving their goals for the students who enroll. Despite the challenges in achieving accountability goals for all students, including those with disabilities, none of the state charter school statutes addresses accountability standards in relation to students with disabilities.

Similarly, none of the 18 states with statutory requirements that charter school students participate in standardized statewide assessments (Arizona, California, Connecticut, Delaware, Florida, Illinois, Kansas, Louisiana, Massachusetts, Michigan, Nevada, New Hampshire, New Jersey, North Carolina, Ohio, Pennsylvania, South Carolina, and Texas) makes specific reference to assessment in relation to students with disabilities. Historically, states have exempted many students with disabilities from participation in statewide assessments.[5] The 1997 amendments to IDEA clarified that such broad-based exemptions will no longer be possible. This may create unique challenges for charter schools whose accountability goals are tied to statewide assessments. In order

[5]However, given that benefits accrue as a result of wide-scale assessment, general exclusion from these assessments based on disability violates Section 504 of the Rehabilitation Act and Title II of the Americans with Disabilities Act.

to make the appropriate individualized decisions regarding the participation of children with disabilities in state and district-wide assessments, charter school personnel will need to become familiar with the guidelines for the provision of auxiliary or supplemental aids and services and for determining the need for alternative assessments.

Educational services. The issue of whether charter schools are required to use the local districts' special education services and personnel is not directly addressed in any state charter school statutes. Three statutes, however, do contain special provisions that relate to this issue. The New Hampshire statute requires that the proposed charter contain "the method for coordinating with the pupil's LEA [local education agency] responsible for matters pertaining to any required special education programs" and further states that "the funding and educational decision-making process for educationally handicapped pupils attending a charter or open enrollment school shall be the responsibility of the local education agency and shall retain all current options available to the parent and to the LEA." The Ohio statute asserts that "a representative of the [intermediate education unit] knowledgeable about special education and related services shall participate in the development of the individualized education program for any student identified as a handicapped child." The Nevada statute states that if a charter school determines that it is "unable to provide an appropriate special education program and related services for a particular disability of a pupil, [it] may request that the board of trustees of the school district of the county in which the pupil resides transfer that pupil to an appropriate school."

Closely related to the provision of educational services is the issue of whether states require special education teachers working in charter schools to be certified. As described previously, seven states require charter schools to employ only certified teachers, and 10 states allow charter schools to hire a percentage of non-certified teachers. No state charter school statute, however, specifically addresses the issue of special education certification. States may provide clarification in rules and regulations. For example, the Arizona Department of Education has published guidelines that maintain that although the charter school statute exempts charter schools from all laws and rules relating to schools and school districts, including teacher certification requirements, the statute also requires charter schools to comply with all federal and state laws relating to the education of children with disabilities, which includes certification requirements for special education teachers. Therefore, Arizona charter schools must employ certified special education teachers under the same conditions as other Arizona public schools. Although beyond the scope of this review, similar linkages no doubt exist in other states.

Special education funding. Most states address special education funding in their charter school statutes by directing that charter schools receive a proportionate share of state and federal categorical funds. An important issue, especially in those states that allow out-of-district enrollment in charter schools, is who bears the excess cost if the per-pupil allotment for a special education student is insufficient to cover the expense of appropriately educating that student at the charter school. Colorado, Connecticut, New Hampshire, and Pennsylvania place this ultimate responsibility for funding special education on the students' districts of residence. Other state statutes do not address this issue but do address a similar one regarding charter school students with disabilities requiring private day school, residential school, or other special classes or treatment programs. Delaware, Massachusetts, and New Jersey require districts to bear the cost of sending a charter school student with a disability to a special facility.

Other Legislative Elements Affecting Students with Disabilities

Although not directly addressing special education services, other provisions of charter school statutes have a direct affect on students with disabilities. The following paragraphs elaborate on some of the most important legislative provisions.

Non-discrimination in admissions. A comprehensive body of federal law prohibits discrimination against students with disabilities by any public education program. Therefore, charter schools cannot legally discriminate against students with disabilities in admissions and must have nondiscriminating admissions procedures. Nevertheless, it is noteworthy that 18 states (62 percent of all states with charter school legislation) place a special emphasis on this issue by including a clause in their charter school statutes expressly prohibiting discrimination in admissions on the basis of disability (see *Table 5*). Twelve states include a *general* non-discrimination provision (i.e. a provision that prohibits discrimination against protected individuals in any context). Eight states (Colorado, Florida, Louisiana, Nevada, New Jersey, North Carolina, Pennsylvania, and South Carolina) include both a general nondiscrimination clause and one that pertains to admissions in particular. Five of the states with no specific statement on discrimination (Arkansas, Georgia, Hawaii, Mississippi, and New Mexico) only allow public school conversions, and legislators in these states may have assumed carryover of non-discrimination clauses that applied to the schools prior to their conversion.

Table 5. **Nondiscrimination Provisions**

General Prohibition of Discrimination	Prohibition of Discrimination in Admissions	No Specific Statement
California	Arizona	Alaska
Colorado	Colorado	Arkansas
Florida*	Connecticut	Georgia
Illinois	Delaware	Hawaii
Louisiana*	Florida	Kansas
Nevada	Louisiana	Mississippi
New Hampshire	Massachusetts	New Mexico
New Jersey*	Michigan	
Pennsylvania*	Minnesota	
South Carolina	Nevada	
Wyoming	New Jersey	
	North Carolina	
	Ohio	
	Pennsylvania	
	Rhode Island	
	South Carolina	
	Texas	
	Wisconsin	

* Indicates those states that include a general nondiscrimination provision that does NOT specifically reference students with disabilities.

Aside from prohibitions against discrimination, other statutory provisions related to charter school admissions may affect enrollment of students with disabilities. Statutes in some states allow a charter school to establish enrollment criteria that are consistent with the school's mission or scope, or to limit enrollment to a specialized area or focus. With even greater potential impact, a few states specifically permit use of academic achievement criteria for admissions decisions.

For example, the New Hampshire statute states that "charter schools may select pupils on the basis of aptitude, academic achievement, or need, provided that such selection is directly related to the academic goals of the school." The Texas statute governing the state's campus charter schools states that consideration may be given to a student's "academic credentials in general or in specific areas, as necessary for the type of program offered." These provisions raise the question of whether schools that set high academic standards as criteria for admission may exclude students with disabilities who are not capable of performing at that level. The Rhode Island statute appears to

Table 6. **Statutory Provisions That Endorse Charter School Focus on Special Populations ***

Primary Purpose of Statute Is to Increase Learning Opportunities for Special Populations	Chartering Authority Gives Preference to Schools Designed to Increase Educational Opportunities for Special Populations	Charter Schools May Give Preference to or Exclusively Enroll Special Populations	Charter Schools Must Serve a Certain Proportion of Special Populations
California Colorado Florida Illinois Louisiana New Hampshire North Carolina Rhode Island	California Colorado Delaware Illinois North Carolina Rhode Island Wisconsin	Connecticut Delaware Florida Nevada New Hampshire Ohio	Louisiana New Jersey North Carolina Rhode Island

* The term "special population" does not necessarily include students with disabilities.

Also to provide an emphasis on increased opportunities for special populations, seven states include in their charter school statutes a statement that the chartering authority in the state will give preference to applications for charter schools that are designed to increase the educational opportunities of specific populations (see *Table 6*). The California statute, for example, provides that "the school district governing board shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioner as academically low achieving." The Illinois statute contains a slightly different provision that requires the local board to give chartering preference to "proposals that are designed to enroll and serve a substantial proportion of at-risk children." In Illinois, the focus of the chartering preference is not only on schools that are able to serve at-risk students, but on schools that seek to serve a large portion of those students. Colorado and Illinois expressly define the scope of the preferential population to include students with disabilities.

Relatedly, some statutes give charter schools the right to limit enrollment exclusively to target populations. The third column in *Table 6* shows the six states with charter statutes including this type of provision. Statutes in two of these states, Florida and Nevada, expressly include students with disabilities as a population that schools can enroll exclusively.

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address this question in its provision: "A charter public school may establish reasonable academic standards as a condition for eligibility for applicants which are in accordance with current state law and practice in existing public schools, and which do not discriminate against otherwise qualified individuals with a disability." Similarly, the Wyoming statute declares that "admission to a charter school shall not be determined solely on academic abilities or achievements, including minimum test scores or intelligence quotient scores." Louisiana, Massachusetts, Michigan, Minnesota, New Jersey, North Carolina, Ohio, and Pennsylvania go further to address this issue by asserting in their charter school statutes that charter schools cannot limit enrollment on the basis of intellectual or academic ability or measures of aptitude or achievement.

Five states (Arkansas, Georgia, Hawaii, New Mexico, and Mississippi) do not address the issue of admissions in the charter school statutes. Each of these states only allows public school conversions, and the schools are not granted much freedom to operate independently from their districts. As noted in regard to other issues, legislators may have assumed that provisions related to other public school admissions continued to apply to these conversion schools.

Emphasis on target populations. Eight states include target population provisions in their statute's statement of legislative intent, making clear that a primary purpose of the charter school legislation is to provide increased learning opportunities for special populations (see *Table 6*). Target populations are variously defined. The Illinois and Louisiana definitions of the target population includes students with disabilities. California, Colorado, Florida, New Hampshire, North Carolina, and Rhode Island do not include a specific description of the target populations in their statutes, using instead general terms such as "academically low-achieving" or "at-risk." Whether the target population in the six states using general terms includes students with disabilities is likely to vary from state to state. We did not search other state statutes to determine whether the terms used for target populations have specific definitions in state education law.

State charter school statutes include a variety of other provisions that may have an impact on the enrollment of students with disabilities. For example, as shown in *Table 6*, Louisiana, New Jersey, North Carolina, and Rhode Island statutes include provisions designed to ensure that a certain proportion of special populations are enrolled in charter schools. Louisiana requires schools to have the same percentage of at-risk students as the local district and allows up to 15 percent of that percentage to be composed of special education students. New Jersey states that a charter school's admission policy must (to the maximum extent possible) seek the enrollment of a cross-section of the community's school age population, including racial and academic factors. North Carolina requires that, within one year of start-up, the racial and ethnic composition of a school serving a special population reasonably reflects the composition of the same population in the local district. Rhode Island requires that the combined percentage of a charter school's special education, at-risk, limited-English-proficient, and free-or-reduced-lunch students must at least equal the combined percentage of these students in the local district.

Other provisions that demonstrate an increased focus on target populations include Colorado's requirement that a certain number of charter schools focus on target populations and the provision in the Texas charter school statute that relaxes restrictions on the total number of open-enrollment charter schools for schools focusing on target populations. In addition, three state statutes (California, Connecticut, and Massachusetts) specifically require reports with respect to special populations within their charter schools.

Transportation. Fifteen states specifically include transportation provisions within their charter school statutes. In some states, particularly where schools operate within a local district, the district automatically provides transportation services. In other states, the charter school receives, as part of its funding, a transportation allocation. The charter school may then either provide transportation services itself, or contract with the district or a third party to provide transportation. Only three statutes focus on special populations when addressing transportation. Colorado and Illinois specify that charter proposals must include a plan for meeting the transportation needs of students, including academically low-achieving students. Delaware states that if the charter school is to provide transportation to its students, the district in which the child resides must pay the charter school an amount for regular or special education students to enable the school to provide transportation within the district where it is located. Additionally, the Florida statute makes a reference that may have an impact on special education when it states that transportation must not be a barrier to equal access to the school.

Other legislative elements. Charter school statutes include additional provisions that may affect special education and students with disabilities. For example, the Michigan charter school statute provides for the establishment of chartered educational clinics that are "specialty public school academies" that "only serve public school pupils during hours outside the pupil's normal class hours by providing special assistance for up to 3 hours per week." Students who are in educational difficulty or who are at risk of falling seriously behind other students may be served by a chartered educational clinic. The Nevada charter school statute includes a provision regarding the discipline of students with disabilities in charter schools. Specifically, the statute states that "a pupil who is participating in a program of special education (other than gifted and talented) may, in accordance with the procedural policy adopted by the governing board of the charter school for such matters, be: (1) suspended from the charter school for not more than 10 days, or (2) suspended from the charter school for more than 10 days or permanently expelled from school only after the governing body has reviewed the circumstances and determined that the action is in compliance with IDEA."

Summary

Charter school statutes vary widely across the 29 states with respect to the level of operational autonomy granted and the degree to which students with disabilities are specifically addressed. Consequently, the implications for special education programs vary greatly from state to state. Particularly because of this variation, a review of state charter school statutes provides important background for our examination of charter schools and the education of students with disabilities. The results of this review will inform our study of how charter schools implement special education programs within the guidelines specified by their states' unique laws.

This review first examined several elements from the statutes that prescribe the degree of operational autonomy of charter schools. These included the charter schools' operational status, authority regarding personnel, exemption from education laws and regulations, liability, and general funding. The examination of these statutory provisions furnished a framework within which to interpret special education provisions. State statutes provide widely different levels of operational autonomy to charter schools, with varying implications for special education programs. Because several states do not include specific statements regarding all relevant issues, it is important to reiterate that, for this analysis, we did not examine regulations from state boards of education or

other state or local authorities regarding charter schools. Many issues not addressed in statute will be clarified through regulations.

The second phase of the review explored the special education provisions that states include in their charter school statutes. The analysis revealed that none of the states include provisions related to goals, accountability, or assessment for students with disabilities. In addition, few states directly address the issue of who is responsible for providing educational services for students with disabilities. On the other hand, at least some states include in their charter school statutes provisions that prohibit discrimination, promote the targeting and enrollment of special populations, prescribe special education funding, provide for special education funding, and address transportation.

Appendix Table A. State Charter School (CS) Legislation: Statutory Provisions Regarding School Organization and Authority (February 1998)

State	Eligible Applicants	Relation to School System	Organizational Status	Authority Regarding Employees	Finance Provisions
AK		Operates as school in the local district.		CS Academic Policy Committee (teachers, parents, and school employees) selects principal who selects or appoints employees of CS. CS employees are covered under district collective bargaining agreement (unless exempted in contract).	Local school board provides CS with annual budget.
AZ	Public body, private person, or private organization.			CS governing body is responsible for policy and operational decisions. Charter shall include description of personnel policies and qualifications.	Application may include a financial plan for operation of CS.
AR	Any public school (conversions only).	Operates within local school district.			
CA	Teachers, parents, pupils, community members. Private entity may provide funding/assistance to establish or operate a CS. No private school conversions.	Operates independently from existing school district structure.		Charter petition includes qualifications of employees.	
CO	Parents, teachers, and community members. No private school conversions.	CS is a public school which is part of the school district in which it is located.	May organize as a nonprofit corporation.	CS responsible for its own operation, including personnel matters. Application includes explanation of employment policies and relationship between CS and its employees.	CS responsible for its own operation including the preparation of a budget.

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State	Eligible Applicants	Relation to School System	Organizational Status	Authority Regarding Employees	Finance Provisions
CT	Any person, association, corporation, organization, or other entity, public or independent institution of higher education, local and/or regional board of education, or regional educational service center. No private school conversions.	Operates independently of any local or regional board of education.	Organized as a nonprofit entity.	CS application includes number and qualifications of teachers to be employed (50% regular certification; 50% temporary/alternate certification). For local CS (conversions), employees shall be members of district bargaining unit and shall be subject to same collective bargaining agreement. For state CS (start-ups), CS governing council shall act as board of education for purposes of collective bargaining.	Application includes financial plan for operation of CS.
DE	Any person, university, college, or nonreligious, non-home-based, nonsectarian entity. No private school conversions.	Operates independently of any school board and has the same standing and authority as reorganized school district board of education (except the power to tax).	Organized under general corporation law.	CS has power to hire, manage, and terminate employees in accordance with its personnel policies (35% of teachers may be non-certified if no qualified alternative certification program exists). CS employees have right to organize and bargain collectively and shall not be members of district bargaining units.	CS has power to determine its own budget.
FL	An individual or group, teachers, parents, existing public school, or a legal entity organized under state laws. No private school conversions.	Terms and conditions for operation of CS are set forth by the sponsor and the applicant in the charter.	Organized as a nonprofit organization. May be a private or public employer.	CS selects its own employees. Charter addresses teacher qualifications (CS may employ non-certified teachers in same manner as other public schools). CS employees may bargain collectively as separate unit or as part of existing district bargaining unit (determined by structure of CS).	Charter addresses the financial management of school. Sponsor monitors revenues and expenditures of CS.
GA	Any public school (conversions only).	Operates within local school district.			
HI	Any public school (conversions only).	CS establishes local school board as its governing body (the state has only one district).			

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State	Eligible Applicants	Relation to School System	Organizational Status	Authority Regarding Employees	Finance Provisions
IL	Teachers, school administrators, local school councils, colleges or universities or faculty, public community colleges or faculty, corporations, or other entities and their representatives. No private school conversions.	Operates independently from local school district.	Organized as nonprofit corporation or other nonprofit entity.	Charter proposal includes explanation of relationship between CS and its employees (CS may employ non-certified teachers if they meet specified qualifications). CS employees may bargain collectively only as a separate unit from existing district bargaining unit.	CS responsible for management of its fiscal affairs including the preparation if its budget.
KS	School building or school district employees groups, educational services contractors, and other persons or entities.	Operates within a school district structure.		District employs persons to be assigned to charter schools. Charter must contain the terms and conditions of employment.	Charter contains the proposed school budget.
LA	Group of 3 or more teachers, 10 or more citizens, a public service organization, a business or corporate entity, a LA college/university, faculty of nonpublic school. No private school conversions.	CS is an independent public school.	Organized as nonprofit corporation, except for those CS formed through contract between a local board of education and the state board of education.	CS governing authority employs faculty and has exclusive authority over employment decisions (25% of teachers may be non-certified if meet certain qualifications), except that employees of CS formed by local school board are employees of school board and not the CS. Proposed charter includes personnel policies and employment practices. CS employees are covered under local school board collective bargaining agreements, except as provided in charter.	Proposed charter includes a financial and accounting plan.
MA	Non-profit business or corporate entity, 2 or more certified teachers, 10 or more parents. No for-profit business or corporate entity. No private school conversions.	Operates independently of any school committee (for both Commonwealth and Horace Mann CS).	Commonwealth and Horace Mann CS are organized as body politic and corporate.	Application shall include number and qualifications of teachers to be employed. Staff are employees of CS. A Horace Mann CS shall be exempt from local collective bargaining agreements as provided in charter, but Horace Mann CS employees continue to be members of local bargaining unit and receive the salary/ benefits established by the bargaining agreement.	The CS board of trustees shall develop the annual budget. Horace Mann CSs must submit budget request to school district for approval.

State	Eligible Applicants	Relation to School System	Organizational Status	Authority Regarding Employees	Finance Provisions
MI	One or more persons, or an entity.		Organized as nonprofit corporation.	CS may employ staff (teachers must be certified) and determine personnel policies and compensation. The employees of a CS that has charter with local school district shall be covered by collective bargaining agreement that applies to other employees of school district.	
MN	One or more licensed teachers. No schools affiliated with a nonpublic sectarian school or religious institution.		Organized as cooperative or nonprofit organization.	CS employs staff (teachers must be licensed). CS employees may organize a bargaining unit. CS bargaining units shall remain separate from district bargaining units, unless otherwise agreed upon.	CS board of directors decides matters related to operation of school, including budgeting.
MS	Any public school (conversions only).	Operates within local school district.		Employees of CS are employees of school district. Employees are entitled to same rights/privileges and benefits to which all other employees of school district are entitled.	
NV	At least 3 licensed teachers alone or in combination with 10 or more members of general public, representatives of an organization devoted to public service, representatives of private business, representatives of college/university. No private school conversions.	Application includes system of organization and operation for CS. Board of trustees of district shall not interfere with operation of CS except as authorized in charter or statutes applicable to CS.		Application includes employment policies and practices (75% of teachers licensed). CS employees are covered by employment provisions of the collective bargaining agreement with the district. Upon renewal of charter, employees of CS may apply for recognition as a bargaining unit. CS may request waiver from specific provisions of collective bargaining agreement.	SEA adopts regulations that prescribe the procedures for budgeting.
NH	Nonprofit organization (college, university, museum, service club, etc.), group of 2 or more NH certified teachers, group of 10 or more parents. No private school conversions.	Operates independent of any school board.	Operated as nonprofit secular organization.	Application includes employee qualifications (50% of teachers certified or 3 yrs experience) and personnel compensation plan. CS employees may organize collective bargaining units, separate from district bargaining units.	CS board of trustees determines the annual budget. Application includes annual budget.

State	Eligible Applicants	Relation to School System	Organizational Status	Authority Regarding Employees	Finance Provisions
NJ	Teachers, parents, higher education institution or private entity. A private entity may not realize net profit. No private school conversions.	Operates independently of local board of education.	Organized as body corporate and politic.	For conversions, employees are members of bargaining unit defined in agreement. For other CS, board of trustees hires employees (teachers must be certified) and determines whether or not to cover employees under terms of district collective bargaining agreement.	CS board of trustees has authority to decide budgeting for school.
NM	Any school within local school districts (conversions only).	Operates within a school district.	Organized as restructured public school w/in local district.		CS determines a school-based budget which must be approved by local board and state board.
NC	Person, group or nonprofit corporation may apply on behalf of a private nonprofit corporation. Private persons and organizations can provide funding/assistance.	CS chooses to operate independently of local board or agrees to be subject to some supervision and control of administrative operations by local board.	Operated by a private nonprofit corporation.	CS board of directors employs staff (75 % of k-5 teachers and 50% of 6-12 teachers must be certified). Staff are employees of CS, not district. If CS elects total independence from local board, its employees shall not be employees of local district for purposes of benefits. If CS agrees to supervision and some administrative control by local board, its employees shall be employees of local district for purposes of benefits.	Application contains proposed budget for school.
OH	Any individual or group of individuals. No private school conversions.	Operates independent of any school district.	Organized as nonprofit corporation.	CS governing authority may employ staff (teachers must be certified). For conversions, CS employees remain part of district collective bargaining unit and subject to collective bargaining agreement (unless otherwise agreed). For start-ups, CS employees may organize and collectively bargain as separate unit from district bargaining units.	Contract specifies an estimated school budget.

State	Eligible Applicants	Relation to School System	Organizational Status	Authority Regarding Employees	Finance Provisions
PA	An individual, one or more teachers, parents or guardians of students, nonsectarian college, university, museum, nonsectarian nonprofit corporation. No private school conversions.	Operates independently from existing school district structure.	Organized as public nonprofit corporation.	CS board of trustees employs staff (75% professional staff certified) and determines employment policies. CS employees may organize collective bargaining units which shall be separate from district bargaining units	CS board of trustees shall have authority to decide matters relating to operation of school, including budgeting.
RI	Existing public schools, groups of public school personnel, or public school districts. No private school conversions.	Operates independently, but within existing school district structure.		Application includes employee qualifications (teachers must be certified) and employment policies. CS teachers and administrators remain employees of district for purposes of salary, benefits, and pension. CS teachers remain members of district collective bargaining unit.	Application provides a financial plan including a proposed budget.
SC	A public, nonprofit corporation.	Operates within a public school district. CS is considered a public school that is part of school district for the purposes of state law and state constitution.	Organized as public nonprofit corporation.	CS shall hire staff (start-ups may hire up to 25% non-certified teachers working towards certification; conversions may hire up to 10% non-certified teachers working towards certification) and determine employment policies. Application shall include an explanation of relationship between CS and its employees. Employees of conversions remain employees of district	Charter committee has power to decide all matters related to operation of CS, including budgeting.
TX	Institution of higher ed., private or independent institution of higher ed., an org. exempt from taxation, a governmental entity.	Open-enrollment CS ispart of the public school system of the state. If located in district facility....		Charter specifies employee qualifications.	Charter describes process by which person providing program will adopt an annual budget.

State	Eligible Applicants	Relation to School System	Organizational Status	Authority Regarding Employees	Finance Provisions
WI		A district-sponsored CS is an instrumentality of the school district in which it is located, except in Milwaukee school districts where the school board determines whether or not CS is an instrumentality of district. A CS sponsored by common council of Milwaukee, chancellor of the University of Wisconsin - Milwaukee, or the Milwaukee is not an instrumentality of school district.		For those CS that are instrumentalities of the school district, the school district employs all personnel for CS. If the CS is not an instrumentality of the school district, it has the power to hire its own personnel (teachers must be certified). The CS has power to determine personnel qualifications (subject to certain statutes).	
WY	Teachers, parents, pupils, community members. Private person or org. may provide funding/assistance for establishment or operation of CS. No private school conversions.	Operates independently from existing school district structure.		Charter petition includes employee qualifications (full-time teachers must be certified).	

Appendix Table B. State Charter School (CS) Legislation: Statutory Provisions Regarding Exemptions, Liability, and Funding (February 1998)

State	Exemptions from Laws, Rules, and Regulations	Liability	General Funding
AK	Automatically exempt from local school district's textbook, program, curriculum, scheduling requirements. Other exemptions as agreed in contract. Exempt from state statute regarding election of chief school administrator.		Local school board provides CS with annual budget, not less than amount generated by pupils enrolled in CS, less administrative costs retained by district. Budget is to be used for operating expenses of educational program.
AZ	Automatically exempt from all statutes and rules relating to schools, governing boards and school districts, except as provided in the CS Law and in charter. CS must comply with laws re: civil rights, health, safety, insurance, state assessment, financial audits, special education.	District sponsors are not liable for CS acts or omissions, debts or financial obligations. State sponsors are immune from personal liability and are not liable for CS debts or financial obligations. CS must secure insurance for liability and property loss.	CSs sponsored by district are included in district's budget calculations for base support and transportation support level. Charter describes method by which district funds CS. For CSs sponsored by state board of education or state board for charter schools, the CS calculates a base support and transportation support level and funds are apportioned from state board to state treasurer for disbursement to the counties for CS.
AR	All exemptions from state and local rules, regulations, policies, and procedures and provisions of Education title must be specified in contract.		
CA	No specific statement regarding exemptions. CS must comply with laws re: health, safety, civil rights, nondiscrimination and state assessment.	District governing board may require petitioner to include information on potential civil liability effects upon CS and upon the school district.	The Superintendent of Public Instruction makes apportionments from state school fund to each CS. The funds apportioned include the amount for each unit of regular, average daily attendance that is equal to the current fiscal year base revenue limit for school district to which charter petition was submitted. CS shall be deemed a "school district" for specified statutes related to public school funding.
CO	Exemptions from school district policies and state regulations are negotiated and included in contract, after they are approved by the state board of education. CS must comply with laws re: nondiscrimination, health, safety, civil rights, and state board and district content standards.	District and CS agree on their respective legal liability and the applicable insurance coverage.	District includes CS pupils in its pupil enrollment. District negotiates with CS on the services and amount of funding CS will receive from district. Funding shall not be less than 80% of district per pupil operating revenues. CS pays for district-provided services out of this funding. Proportionate share of moneys generated under federal or state categorical programs shall be directed towards CSs serving pupils eligible for such aid.

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State	Exemptions from Laws, Rules, and Regulations	Liability	General Funding
CT	CS shall be subject to all federal and state laws governing public schools. A CS may file requests to waive provisions of general statutes and regulations within jurisdiction of state board of education.	State or local board of education shall have no liability for acts, omissions, debts or other obligations of CS except as may be provided in an agreement or contract with CS.	Local board of student's resident district pays to local CS (a converted public school) the amount specified in charter for each pupil. State pays to state CS (a start-up sponsored by state) an amount equal to 105% of foundation level for each pupil. CS shall receive any federal funds available for education of any pupils attending CS.
DE	Automatically exempt from all provisions of this title (DE education title) and all school district regulations, except as specified in CS law. CS must comply with laws and regulations re: nondiscrimination, state assessments, health and safety.	The approving authority of CS shall have no liability for the actions or inaction of a CS. Proposed charter shall contain an assessment of the CS's potential legal liability.	State pays to CS state funding, including a pro-rated portion of any funds appropriated by state board of education that are intended to be allocated on a pupil, employee or school state share. Pupil's district of residence pays to CS the local cost per pupil, net of transportation expenses.
FL	Automatically exempt from all statutes of FL school code, except as specified in CS law and the charter. Must comply with laws and regulations re: civil rights, health, safety, welfare, anti-discrimination, state assessment and education goals, public records, public meetings, and length of school year.	The charter includes the manner in which CS will be insured, including whether or not CS is required to have liability insurance. For purposes of tort liability, CS shall be governed by specified law.	CS pupils shall be funded as if they are in a basic or special program the same as other public school pupils. Eligible CSs shall be entitled to proportionate share of categorical program funds (including transportation). Administrative fees charged by district may not exceed 5% of funds. Sponsor shall monitor revenues and expenditures of CS.
GA	Automatically exempt from state rules, regulations, policies and procedures, and from other provisions, unless otherwise specified in CS law or charter.		CS will be given special preference by the state board in receiving grant funds for alternative schools, classroom technology, school improvement programs, or other grant programs designed to improve local school performance.
HI	Automatically exempt from all applicable state laws except those pertaining to collective bargaining, state procurement laws, religious, racial or sexual bias, health and safety, and statewide pupil performance standards.		CS receives an allocation of state general funds on a per pupil basis equal to the statewide per pupil expenditure for average daily attendance. All federal and other financial support shall be equal to all other public schools.
IL	Automatically exempt from all state laws and regulations in the School Code governing public schools and local school board policies except as provided in the CS law and in the charter. Must comply with laws / regulations re: nondiscrimination, health and safety, criminal background investigations, pupil discipline, tort immunity act, abused/neglected child act, pupil school records act, IL standards and assessments.	District and CS agree on their respective legal liability and applicable insurance coverage.	CS enrollment included in enrollment of pupils' respective districts of residence. CS and local school board agree on services and amount of funding to be provided by local district in contract. Amount of funding shall not be less than 95% or more than 105% of school district's per capita pupil tuition. CS receives proportionate share of moneys generated under federal or state categorical aid programs (if pupils qualify).

State	Exemptions from Laws, Rules, and Regulations	Liability	General Funding
KS	CS must identify school district policies, state board of education rules and regulations, and statutory requirements from which waiver is sought in the charter petition.		
LA	Automatically exempt from all rules and regulations of state board and local school board and statutory mandates and requirements applicable to public schools and public school officers, except as provided in CS law and in charter. Must comply with laws re: health, safety, civil rights, nondiscrimination, special education and state assessment. [More listed in CS Law]	Charter contains provisions re: liability issues, types and amounts of insurance coverage. Local and state school boards are immune form civil liability damages arising with respect to all activities related to operation of CS except as specified in charter.	CSs sponsored by the local board receive (from the local board) funding for each pupil (based on average daily membership in CS) that is equal to the average current operating expenditure per pupil. Start-up CSs sponsored by the state board of education receive funding in an amount equaling the combined state and local target amount which is funded for district in which CS is located. CSs shall be eligible for any other federal, state, or local funding for which the school or its pupils qualify.
MA	CS shall operate in accordance with its charter and the provisions of law regulating other public schools. Must comply with laws re: health and safety, special needs, state performance standards and assessment.	Employees are considered public employees for purposes of tort liability.	*Commonwealth CS*: If pupil resides in district with positive foundation gap, CS receives the average cost per pupil in resident district, directly from the state treasurer. If pupil resides in district with no positive foundation gap, CS receives the lesser of: (1) the average cost per pupil in the resident district; and (2) the average cost per pupil in the CS district. *Horace Mann CS*: Submits budget request to school district that reviews it. In response to budget request, HM shall receive funding from district that is not less than it would have under the district's budgetary allocation rules. Once budget amount is approved by the district, HM can spend money without further approval by district.
MI	CS shall comply with all provisions of this part and with all other state law applicable to public bodies and with federal law applicable to public bodies or school districts.	A CS has governmental immunity. A chartering authority is immune from civil liability both personally and professionally for any acts or omissions in authorizing a CS.	Charter authorizing body is the fiscal agent. The authorizing body receives a state school aid payment, which it forwards to the CS.

State	Exemptions from Laws, Rules, and Regulations	Liability	General Funding
MN	Automatically exempt from all statutes and rules applicable to a school, a school board, or a school district except as provided in the CS law. Must comply with laws re: health and safety, special education, state educational outcomes, pupil fair dismissal, public school fees, and financial audits.	CS assumes all liability. State board of education and sponsors are immune from civil or criminal liability with respect to all activities related to a CS.	CS receives the average general education revenue per pupil from state as though it were a school district. CS may use its operating revenue for any purpose related to the school. Federal aid received by state must be paid to CS (if qualified) as though it were a school district.
MS	Automatically exempt from rules, regulations, policies and procedures of state board of education and local school board and from provisions of Title 37 (Education) of State Code, except as provided in CS law or charter. Must comply with performance variables in accreditation system.		A CS may be funded by federal grants, grants, gifts, donations from private sources, and state funds appropriated for support of CS, and any other funds that may be received by the school district. State board of education may give CS preference when allocating grant funds other than state funds for alternative school programs, classroom technology, school improvement programs, mentor programs or other grant programs designed to improve local school performance.
NV	No specific statement regarding exemptions. Law states that schools must comply with laws re: discrimination, civil rights, state achievement and proficiency examinations, and others.	The application for a CS shall include guidelines for determining who is liable if CS is dissolved or its application for renewal is not approved.	CS pupils must be included in count of pupils in district for purposes of apportionments and allowances from the state distributive school account. CS is entitled to receive its proportionate share of any other money available from federal state, or local sources that the school is eligible to receive. CS may negotiate with district and state board of education for additional money to pay for services the CS wishes to offer.
NH	Automatically exempt from state laws and rules which otherwise apply to public or nonpublic schools, or local school boards or districts, except as provided in CS Law. Must comply with laws re: nondiscrimination, special education, health and safety, and civil rights.	Local school board and district is free of liability for any action or inaction of CS. District shall not be held liable for damages in an action to recover for bodily injury, personal injury or property damage arising out of the establishment or operation of CS.	Funding limitations are not applicable to charter conversion schools located in pupil's resident district. All other CSs receive from pupil's resident district, not less than 80% of average cost per pupil in that district. Sending district may provide funds, services equipment, materials or personnel to a charter school in addition to the amounts specified in this section in accordance with policies of the sending school district. Any federal or other funding available to a sending district shall be directed to CS in receiving district on an eligible per pupil basis.

State	Exemptions from Laws, Rules, and Regulations	Liability	General Funding
NJ	CS shall operate in accordance with its charter and the provisions of law and regulation which govern other public schools. Upon request, the commissioner may exempt CS from state regulations concerning public schools. Application shall include waivers that CS intends to request. Must comply with laws re: civil rights, health and safety, and assessment.	CS shall provide for appropriate insurance against loss or damage to its property or any liability resulting from the use of its property or from the acts or omissions of its officers and employees.	CS receives for ea. pupil (directly from the school district of residence) a presumptive amount equal to 90% of the local levy budget per pupil for specific grade level in the district. CS also receives any categorical aid and any federal funds directly from district of residence.
NM	CS shall comply with all provisions of the Public School Code. CS may request waiver of certain provisions for purpose of providing class size and structure flexibility, alternative curriculum opportunities, and alternative budget opportunities.		CS submits its school-based budget to district for approval. If approved, budget is passed on to the Department of Education as part of district's budget. If Department approves, it determines allocations to each school district from the public school fund and the local school board allocates the appropriate distributions to the CS pursuant to their budget.
NC	Automatically exempt from statutes and rules applicable to a local board of education or local school administrative unit, except as provided in the CS Law and in the charter. Must comply with laws re: health and safety, pupil performance standards and assessments, education of pupils with special needs.	Any sovereign immunity of CS is waived to the extent of the indemnification by insurance. State board of education is not liable for any acts or omissions of CS. If CS does not elect total independence from local board of education, immunity shall be waived to the extent of indemnification by insurance.	CS receives from state board of education an amount equal to the average per pupil allocation for average daily membership that would have otherwise gone to school district where CS located. The CS shall receive from the local district of residence an amount equal to the per pupil local current expense appropriation.
OH	Automatically exempt from all state laws and rules pertaining to schools, school districts, and boards of education, except as specified in CS Law and/or in charter. Must comply with laws and regulations re: parent rights, health and safety, state assessments.	A sponsor is not liable for damages in a tort or other civil action for harm allegedly arising from: (1) failure of CS to perform any statutory law/responsibility, (2) an action or omission of CS.	CS receives directly from Department of Education (or through Lucas County Educational Services Center), an amount equal to the number of pupils multiplied by the base formula amount of the CS, adjusted by the school district of residence's cost-of-doing-business factor.

State	Exemptions from Laws, Rules, and Regulations	Liability	General Funding
PA	Automatically exempt from statutory requirements, regulations of the state board of education and the standards of the secretary not specifically applicable to CS, except as otherwise provided in CS Law or charter. CS are not exempt from statutes applicable to public schools other than this Act. Must comply with laws and regulations re: nondiscrimination, state assessment, [more].	CS shall be solely liable for any and all damages of any kind resulting from any legal challenge involving operation of CS. Local board shall not be liable for any activity or operation related to program of a CS. CS employees are public employees for the purposes of tort liability.	CS receives for each pupil (from district of residence) no less than the budgeted total expenditure per average daily membership minus the budgeted expenditures of the district of residence for other educational programs.
RI	CS must identify state statutes and regulations, school district rules and provisions of collective bargaining agreement from which variances are sought. Several title provisions are listed as binding (i.e. not able to be waived) in the Law.	CS have same immunity possessed by school districts to suit. A CS shall have authority to indemnify its employees to extent that they are not already indemnified by the school district.	CS receives funding from the school district equal to a percentage of the total budgeted expenses determined by dividing the number of CS pupils by total resident average daily number of pupils in school district. CS pays for district-provided services it chooses to use out of this funding. Federal aid received by the state shall be used to benefit pupils in the CS (if qualified) as though it were a district.
DC	Automatically exempt from all provisions of law and regulations applicable to a public school, a school board, or a district, except as provided in CS law. The contract between the CS and the sponsor shall reflect all agreements regarding release of CS from local district policies. Must comply with laws and regulations re: health, safety, civil rights, disability rights, nondiscrimination, state assessment, attendance, financial audits.	CS is school district for purposes of tort liability. Application contains an assumption of liability by CS for its activities. A CS must indemnify and hold harmless the school district from any and all liability, damage, expense, causes of action, suits, claims or judgments arising from injury or failure to action or negligence of CS.	CS receives from sponsor, an amount equal to the state, county and school district funds based on formula.
TX	CS is subject to federal and state laws and rules governing public schools, except that the CS is subject to this code and rules adopted under this code only to the extent the applicability to a CS of a provision of this code is specifically provided. Must comply with laws re: health and safety, special education, accountability, and assessment.	The CS is immune from liability to same extent as a school district.	CS receives from state the distribution from the available school fund for each pupil attending the CS, that district would otherwise receive. The CS receives from the district of residence an amount equal to the quotient of the tax revenue collected by district for public schools divided by number of pupils.

State	Exemptions from Laws, Rules, and Regulations	Liability	General Funding
WI	Except as otherwise explicitly provided, chapters 115 to 121 of state statutes (Education code) do not apply to CS. Must comply with laws and regulations re: health and safety.	Charter petition must include a description of the types and limits of the liability insurance the CS will carry, as well as the effect of the establishment of the CS on the liability of the school district.	For, CS sponsored by school boards, the contract shall specify the amount to be paid by the school board to the charter school during each school year. For CS sponsored by a ch. 119 school district, the Department shall pay to CS an amount equal to the shared cost per member in the previous school year of the school district operating under ch. 119 multiplied by the number of pupils attending the CS.
WY	CS must comply with provisions set forth in its charter petition. Must comply with laws re: state minimum standards.	Charter petition must demonstrate that CS is adequately insured for liability, including errors and omissions, and that the school district is indemnified to the fullest extent possible.	Each pupil attending a CS shall be counted among the average daily membership of the district in which school is located.

Appendix Table C. State Charter School (CS) Legislation: Statutory Provisions That May Affect Students With Disabilities (February 1998)

State	Non-discriminatory Admissions, Expressly Related to Disability	Other Pertinent Admissions Requirements	Targeted Populations	Chartering Preference	Enrollment and Recording Provisions Regarding Special Populations	Funding For Special Education	Transportation That May Apply To Special Education
AK		Contract includes admission policies and procedures. CS may limit enrollment to age/grade or pupils who will benefit from a particular teaching method or curriculum.					
AZ	Shall not limit admission based on a disabling condition.	CS shall give preference to returning pupils and siblings. A district-sponsored CS shall give preference to in-district pupils. CS may limit enrollment to age/grade.					CS is subject to transportation provisions in specified statute (applicable to district). CS receives funding for transportation as part of total funding for school.
AR							
CA		Application includes admission requirements, if applicable. Admission shall not be based on pupil's residence. Conversions shall give preference to pupils residing in former attendance area.	Academically low-achieving.	Schools demonstrating capability to provide solid learning experiences to academically low-achieving.	Legislative Analyst shall contract for an evaluation of CS approach, including an analysis of the level of increased (any change in) focus on academically low-achieving pupils.	CS receives state and federal funds for special education [from Superintendent of Public Instruction].	

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State	Non-discriminatory Admissions, Expressly Related to Disability	Other Pertinent Admissions Requirements	Targeted Populations	Chartering Preference	Enrollment and Recording Provisions Regarding Special Populations	Funding For Special Education	Transportation That May Apply To Special Education
CO	Enrollment policy is subject to all federal and state laws prohibiting discrimination on basis of disability or need for special education services.	Application includes enrollment policies. CS shall enroll any in-district pupil, except no CS shall be required to make alterations to facility except as required by law.	Academically low-achieving.	Schools serving at risk pupils (less likely to succeed because of physical, emotional, socioeconomic or cultural factors).	Of the charters granted prior to 7/1/97 (max. 60), at least 16 reserved for schools serving at-risk pupils.	CS receives proportionate share of state and federal funds generated by pupils with disabilities and staff serving them. Pupil's resident district responsible for excess costs.	Application includes plans for meeting transportation needs of pupils. If CS plans to provide transportation, application must include plan for meeting needs of low-income and academically low-achieving pupils.
CT	Shall not discriminate in admissions on the basis of disability.	Application includes admission criteria and procedures to ensure open access. CS may limit enrollment by age/grade, or specialized education focus; may give preference to siblings.			May limit enrollment to a specialized education focus. Governing council of CS must submit an annual report (to Commissioner of Education) including accomplishment of any specialized focus of CS.	For State CS, pupil's resident district pays to State CS amount equal to difference between reasonable cost of educating special needs pupil and general per pupil funding. All CS eligible to same extent as boards of education for special education grants. CS shall receive any federal funds available for education of any pupils attending CS.	Host district provides transportation to CS for in-district pupils, unless otherwise arranged by CS. Pupil's resident district may provide transportation to pupils attending CS outside district and will be reimbursed by State.

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State	Non-discriminatory Admissions, Expressly Related to Disability	Other Pertinent Admissions Requirements	Targeted Populations	Chartering Preference	Enrollment and Recording Provisions Regarding Special Populations	Funding For Special Education	Transportation That May Apply To Special Education
DE	Shall not discriminate against any pupil in admissions process because of handicap.	CS shall not restrict admissions, except by age/grade. Conversions shall give preference to original pupils and siblings. CS may give preference to in-district pupils, at risk pupils, or pupils interested in the teaching/subject matter.		Schools demonstrating that their educational program will accommodate at risk and special education students.	May give enrollment preference to pupils at risk of academic failure.	CS receives from pupil's resident district the local cost per pupil (regular or special education). Pupil's resident district is responsible for additional tuition required by pupils attending special classes or treatment programs. CS receives a pro-rated portion of any funds appropriated by state board of education that are intended to be allocated on a pupil, employee or school state share.	At CS request, host district provides transportation to CS for in-district pupils, or pupil's resident district pays CS the average cost per pupil (regular or special education) to provide transportation within district where CS located. Non-resident pupils responsible for getting to district.
FL	Pupils w/handicapping conditions shall have equal opportunity of being selected for enrollment.	Charter addresses admission procedures. CS open to any in-district pupil. Conversions shall give preference to original pupils. CS may give preference to siblings, children of CS employees, may limit enrollment to age/grade, or at risk pupils.	Academically low-achieving.		May limit enrollment to pupils at risk of dropping out or at risk of academic failure, including exceptional education pupils.	CS receives funds for pupils in basic or special program, the same as is provided for these pupils in public schools. Eligible CSs shall be entitled to proportionate share of categorical program funds.	CS provides transportation services and is entitled to receive transportation funds. CS may contract with district or other. Transportation must not be barrier to equal access.
GA							

State	Non-discriminatory Admissions, Expressly Related to Disability	Other Pertinent Admissions Requirements	Targeted Populations	Chartering Preference	Enrollment and Recording Provisions Regarding Special Populations	Funding For Special Education	Transportation That May Apply To Special Education
HI						Statewide per pupil funds (received by CS) are adjusted to reflect additional expense of special education pupils. All federal and other financial support shall be equal to all other public schools.	
IL		Proposal includes age/grade range, number of pupils, and other admission criteria that are legal if used by a district. CS shall be open to any in-district pupil, shall give preference to prior year pupils and siblings.	At-risk pupils (less likely to succeed because of physical, emotional, socioeconomic, or cultural factors).	Schools serving at-risk pupils (less likely to succeed because of physical, emotional, socioeconomic, cultural factors).		CS receives, from pupil's resident district, the proportionate share of state and federal funds generated by pupils with disabilities and staff serving them.	Proposal includes plan for meeting transportation needs of pupils, including low-income and academically low-achieving pupils.
KS		Charter contains admission criteria.					Host district provides transportation to CS for pupils who qualify for free meals under National School Lunch Act and live 2 ½ miles or more from CS; may provide transportation for others.

State	Non-discriminatory Admissions, Expressly Related to Disability	Other Pertinent Admissions Requirements	Targeted Populations	Chartering Preference	Enrollment and Recording Provisions Regarding Special Populations	Funding For Special Education	Transportation That May Apply To Special Education
LA	Shall not exclude pupils based on intellectual ability, identification as an exceptional child.	Proposed charter contains admission requirements consistent with scope and mission of CS. CS shall enroll pupils eligible by residency. Conversion CS shall give preference to original pupils. After first year, CS shall give preference to prior year pupils and siblings.	At-risk pupils (includes pupils identified as exceptional children).		Conversions must enroll same percentage of pupils eligible for free/reduced lunch as enrolled in year prior to conversion. Start-ups, which must have same percentage of at-risk pupils as percentage in district who are eligible for free/reduced lunch, shall enroll these at-risk pupils in proportion of at least 85% eligible for free/ reduced lunch and up to 15% as otherwise defined (includes exceptional pupils).	CS receives state and federal funds for special education.	CS may negotiate with district for transportation services.
MA	Shall not discriminate (in admissions) on basis of mental or physical disability, special need, academic achievement.	Application includes admission method. CS shall give preference to in-district pupils; may limit enrollment to grade level.			Commissioner of Education required to collect data on number of students in charter schools with IEPs.	District of residence is fiscally responsible for special needs pupils who require a private day or residential school.	Host district provides transportation to CS for in-district pupils. Non-resident pupils are eligible for transportation in accordance with specified statute. CS shall not receive transportation funds above amount required.

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State	Non-discriminatory Admissions, Expressly Related to Disability	Other Pertinent Admissions Requirements	Targeted Populations	Chartering Preference	Enrollment and Recording Provisions Regarding Special Populations	Funding For Special Education	Transportation That May Apply To Special Education
MI	Shall not discriminate in its pupil admissions policies or practices on basis of intellectual ability, measures of achievement or aptitude, status as a handicapped person.	Application includes admission policy and criteria. CS shall not discriminate on any basis illegal if used by district; may limit admission to age/grade or any basis legal if used by district.					
MN	May not limit admission to pupils on the basis of intellectual ability, measures of achievement or aptitude.	Contract contains admission policies and procedures. CS may limit admission to age/grade, residents of geographic area where percentage of non-caucasians is greater than the percentage of non-caucasians in congressional district in which that area is located, as long as school reflects racial and ethnic diversity of the specific area.				CS receives special education aid from State as though it were a school district.	Either host district or CS provides transportation to CS for in-district pupils. If CS elects to provide transportation, it receives state aid (including funding for transporting students with disabilities). CS is not required to provide or pay for non-resident pupils to be transported to border of district but may reimburse for families at or below poverty level.
MS							

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State	Non-discriminatory Admissions, Expressly Related to Disability	Other Pertinent Admissions Requirements	Targeted Populations	Chartering Preference	Enrollment and Recording Provisions Regarding Special Populations	Funding For Special Education	Transportation That May Apply To Special Education
NV	Shall not accept applications or otherwise discriminate based on disability of pupil.	Application includes admission policy and criteria, which must be directly related to school's goals/ mission. CS may limit enrollment to pupils with disabilities or who are at risk.			May form charter schools dedicated exclusively to pupils with disabilities or at risk. Each year, CS submits to sponsor a report including the count of pupils enrolled in special education.	CS pupils in special education programs must be included in count of pupils in school district for purposes of apportionments from state school account. CS is entitled to receive its proportionate share of any money available from federal, state, or local sources that the school is eligible to receive.	CS adheres to same transportation policy in effect in local district. CS may contract with district for transportation services.
NM							
NH		Application contains admissions procedures. CS shall give absolute preference to in-district pupils. CS may limit enrollment to age/grade, pupil needs, areas of academic focus, may select pupils on basis of aptitude, academic achievement if directly related to goals of the school.	Target pupil groups.		May limit enrollment to at-risk pupils.	District is responsible for the funding and educational decision-making process for educationally handicapped pupils. Any federal or other funding available to a sending district shall be directed to CS in receiving district on an eligible per pupil basis.	Host district provides transportation to in-district pupils. Any added costs borne by the CS. Application contains transportation plan, including provisions for transportation of non-resident pupils using CS resources. CS and host school district encouraged to enter into contract for transportation services.

State	Non-discriminatory Admissions, Expressly Related to Disability	Other Pertinent Admissions Requirements	Targeted Populations	Chartering Preference	Enrollment and Recording Provisions Regarding Special Populations	Funding For Special Education	Transportation That May Apply To Special Education
NJ	Shall not discriminate in its admission policies and practices on basis of intellectual ability, measures of achievement or aptitude, status as a handicapped person	Application includes admission policy and criteria. CS shall give preference to in-district pupils, returning pupils and siblings; may limit admission to grade, areas of academic focus; may establish reasonable criteria to evaluate prospective pupils			Admission policy shall (to max. extent possible) seek enrollment of cross-section of community's school age population, including racial and academic factors	District of residence is fiscally responsible for special needs pupils who require a private day or residential school. CS receives any categorical aid and any federal funds directly from district of residence	Host district provides transportation to CS for in-district pupils. Non-resident pupils receive transportation pursuant to State board of education regulations
NC	Shall not limit admission on basis of intellectual ability, measures of achievement or aptitude, disability	Application contains admission policies and procedures. CS shall be open to any pupil qualified for admission to public school; shall not base admission on pupil's residence, except in case of conversions	At risk of academic failure	Schools serving pupils at risk of academic failure	Within one year, population in CS shall reflect the racial and ethnic composition of local district or of targeted population within local school district	CS receives from State additional amount (over per pupil allocation) for child with special needs	CS provides transportation for in-district pupils; may provide transportation for non-resident pupils
OH	May not limit admission on basis of intellectual ability, measures of achievement or aptitude	Contract specifies admission standards. CS open to any pupil eligible to attend school in Lucas County. CS shall give preference to returning pupils, may give preference to siblings, may limit admission to age/grade, at risk, or residents of specific geographic area			May limit enrollment to at-risk pupils (as defined in the contract)	CS receives from Department an amount equal to the actual cost for special education pupil in resident district, less a prorated share for the pupil of any amount received from state or federal funds	Host district provides transportation to CS for in-district pupils. Pupil's resident district is not required to provide transportation to pupil attending CS outside district

State	Non-discriminatory Admissions, Expressly Related to Disability	Other Pertinent Admissions Requirements	Targeted Populations	Chartering Preference	Enrollment and Recording Provisions Regarding Special Populations	Funding For Special Education	Transportation That May Apply To Special Education
PA	Shall not discriminate in admission policies or practices on basis of intellectual ability, measures of achievement or aptitude, status as a person with a disability.	Application includes admission policy and criteria. CS open to all PA resident pupils. CS shall give preference to in-district pupils; may give preference to child of CS founder and siblings; may limit admission to age/grade or area of academic focus; may establish reasonable criteria to evaluate prospective pupils.				CS shall receive additional funding from district of residence for each special education pupil based on formula. CS may request that intermediate unit provide services to assist CS to address specific needs of exceptional pupils, for which CS must pay.	Host district provides transportation to CS for in-district pupils. Non-resident pupils provided transportation under specified statute. Resident districts which provide transportation for pupils attending CS outside district are eligible for payments.
RI	May establish academic standards as condition for eligibility which do not discriminate against otherwise qualified individuals with a disability.	Application includes enrollment procedures. CS may establish reasonable academic standards as condition for eligibility which are in accordance with state law and which do not discriminate against otherwise qualified pupils with a disability.	Educationally disadvantaged and at risk.	Schools serving educationally disadvantaged and at risk pupils.	The combined percentage of special education, at-risk, and LEP pupils and pupils eligible for free or reduced lunch must at least equal the combined percentage of these student populations in the district as a whole. Federal aid received by the state shall be used to benefit pupils in the CS (if qualified) as though it were a district.	CS may receive additional funding if combined percentage of special education, at risk, LEP pupils and pupils eligible for free or reduced lunch exceeds the combined percentage of these pupils in district as a whole.	CS may negotiate with district for transportation services which are paid for out of CS revenues.

State	Non-discriminatory Admissions, Expressly Related to Disability	Other Pertinent Admissions Requirements	Targeted Populations	Chartering Preference	Enrollment and Recording Provisions Regarding Special Populations	Funding For Special Education	Transportation That May Apply To Special Education
SC	May not limit or deny admission to any individual or group of individuals	Application includes admission policies and procedures. CS shall admit all pupils eligible to attend public school and shall not deny or show preference in admission to any individual or group of individuals. CS may give preference to siblings or children of CS employees.				CS receives proportionate share of state and federal funds generated by pupils with disabilities and staff serving them. Sponsor shall distribute to CS federal funds which are allocated to district on basis of number of special characteristics of pupils attending CS.	Charter contains plan for meeting transportation needs of pupils.
TX	Prohibit discrimination in admission policy on basis of disability, academic ability	Charter specifies any type of enrollment criteria used			State board of education may grant additional charters (over state limit) for proposed schools where at least 75% of population will be pupils at risk of dropping out		CS provides transportation under same laws governing transportation provided by a school district
WI	May not discriminate in admission on basis of person's physical, mental, emotional, or learning disability	Petition contains admission requirements. Conversions shall give preference to pupils who reside in attendance area of former school		Schools serving at-risk pupils (includes pupils who are academically behind their age group)			

State	Non-discriminatory Admissions, Expressly Related to Disability	Other Pertinent Admissions Requirements	Targeted Populations	Chartering Preference	Enrollment and Recording Provisions Regarding Special Populations	Funding For Special Education	Transportation That May Apply To Special Education
WY		Petition includes admissions requirements (if applicable) and minimum enrollment requirements as specified by district board. Admission shall not be determined according to place of residence. Conversions shall give preference to pupils who reside in former attendance area. Admission shall not be determined solely on academic abilities or achievements, including minimum test scores or IQs.					

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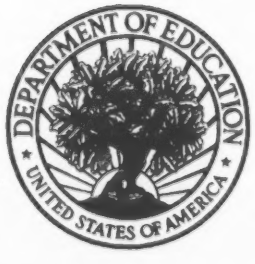

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